

### **REMARKS**

At the outset, Applicants acknowledge with appreciation Examiner Charles S. Bushey's courtesy in conducting the April 29, 2009 personal interview. During the personal interview, Applicant, Applicant's representative and Examiner Bushey discussed proposed claim amendments and arguments that would overcome the rejection of claims 1-5 under 35 U.S.C. § 103.

Claims 1 and 4 are pending in this application. Claims 2, 3, and 5 have been canceled and their limitations have been incorporated in amended independent claim 1. The specification has been amended to refer to Figures 2A-2C. The Abstract has been amended to delete the terms "comprising" and "consisting of" from the originally-filed Abstract. A replacement Abstract is provided as a clean, separate sheet on page 3. No new matter has been introduced.

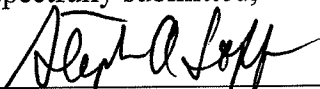
Claims 1 and 4 are rejected under 35 U.S.C. §103(a) as being unpatentable over Muller (U.S. Patent No. 6,769,672). This rejection is respectfully traversed.

The subject matter of claims 1 and 4 would not have been obvious over Muller. Muller teaches a two-phase distribution apparatus with a "vertical flow dividing baffle 7 located in the top portion of [downcomer 20]" (col. 9, ll. 34-35), and not a distribution device with "a fairing or a guide vane arranged in a region of the up-flow or down-flow zone adjacent to the transition zone of the vapour lift tube, wherein the fairing or the guide vane is provided on top of the legs, the fairing or the guide vane curving towards the legs of the vapour lift tube, to provide even liquid distribution below the tray," as in the claimed invention. For at least these reasons, the Office Action fails to establish a *prima facie* case of obviousness, and withdrawal of the rejection of these claims is respectfully requested

Allowance of all pending claims is solicited.

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Respectfully submitted,

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